

REMARKS

Claims 1, 3-14 and 17-19 currently appear in this application. The Office Action of August 23, 2004. has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicants respectfully request favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

New Claims

New claims 17-19 have been submitted. Support for claim 17 can be found in the specification as filed at page 4, line 12; page 10, line 15; page 11, line 9 from the bottom; and page 12, line 3 from the bottom. Support for claim 18 can be found in the specification as filed at page 4, lines 13-14, i.e., "in the form of a mass of about 40 x 30 x 5 cm in size." Support for claim 19 can be found in the specification as filed at page 10, line 18 ("granules of 7 mm in size"); page 11, line 6 from the bottom ("granules of 5 mm in size"); and page 13, line 1 ("granules of 5 mm in size"). It should be noted that claim 19 recites "uniform particles" rather than "uniform particle size."

Art Rejections

Claims 1, 3-6 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over CA 1213170A in view of Vitkovsky.

This rejection is respectfully traversed. Support for the amendment to claim 1 can be found in the specification as filed at page 4, lines 10-12, "In general, frozen ground fish meat masses are distributed in kg units for the sake of convenience in storage and handling." In contrast thereto, CA 1213170A clearly discloses thawing a "meat mass" (page 16, lines 19-21). There is neither disclosure nor suggestion of thawing a meat mass having a weight of 1 kg or more. One skilled in the art would not look to a method for thawing, as CA 1213170A specifically discloses that the raw meat cuts are quickly frozen and then broken or cut into small particles or pellets to form freely flowable or pourable portions, page 5, lines 16-24. That is, the frozen meat of CA 1213170A is in the form of free-flowing small particles. The frozen mass of the present invention, however, is in slabs of at least 1 kg each. The problems associated with thawing a large (more than 1 kg) piece of frozen flesh are quite different from those associated with thawing small particles that are separate from each other. Claims 7 and 14 are rejected under 35 U.S.C. >

103(a) as being unpatentable over CA 1213170A in view of Vitkovsky as applied above and further in view of Katoh et al.

This rejection is respectfully traversed. Even though Katoh et al. teach using a pin mixer to process fish paste, there is nothing in Katoh et al. that would lead one skilled in the art to thaw a frozen fish mass in the same manner as thawing individual small particles of frozen meat. The problems associated with thawing a slab of frozen fish include thawing and possibly overheating the outside while the inside of the mass is still frozen, or even partially cooking the outside of the mass before the inside is thawed. None of the cited patents addresses this problem, and therefore one skilled in the art reading these patents would not be led to the process of the present invention.

Claims 8 and 9 are rejected as being unpatentable over Katoh et al. in view of CA1213170A, Vitkovsky, and JP 06133739A.

This rejection is respectfully traversed. As noted above, none of the cited patents teaches or suggests thawing a frozen mass of at least one kilogram in weight. The disclosure of JP 06133739A does not supply this missing concept, so that there is no motivation to one skilled in the art to prepare kamaboko by a process based upon the disclosures of the cited patents.

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In view of the above, it is respectfully submitted
that the claims are now in condition for allowance, and
favorable action thereon is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By: 

Anne M. Kornbau
Registration No. 25,884

AMK:srd
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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